

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF VIRGINIA
ALEXANDRIA DIVISION

DAVID HOPPAUGH, Individually and On
Behalf of All Others Similarly Situated,

Plaintiff,

v.

K12 INC., RONALD J. PACKARD, and
HARRY T. HAWKS,

Defendants.

1:12-CV-103-CMH-IDD

**DEFENDANTS K12 INC., RONALD J. PACKARD AND
HARRY T. HAWKS' MOTION TO DISMISS THE AMENDED COMPLAINT**

Defendant K12 Inc. (“K12”) and Individual Defendants Ronald J. Packard, and Harry T. Hawks (collectively “Defendants”), through their undersigned counsel, respectfully move to dismiss the Amended Class Action Complaint pursuant to Federal Rules 9(b) and 12(b)(6) of the Federal Rules of Civil Procedure and the Private Securities Litigation Reform Act (“PSLRA”), on the grounds set forth in the accompanying Memorandum in Support, which is incorporated hereto by reference.

Date: July 20, 2012

Respectfully submitted,

LATHAM & WATKINS LLP

By: /s/ Michele E. Rose

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*Attorneys for Defendants K12 Inc., Ronald J.
Packard and Harry T. Hawks*

CERTIFICATE OF SERVICE

I hereby certify that on the 20th day of July, 2012, I will electronically file the foregoing Motion to Dismiss the Amended Complaint, Memorandum in Support of the Motion to Dismiss the Amended Complaint, Declaration of Sarah Greenfield in Support of the Motion to Dismiss the Amended Complaint, and Appendix with the Clerk of Court using the CM/ECF system, which will then send a notification of such filing (NEF) to all registered users.

By: /s/ Michele E. Rose

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